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*“Carolina! Carolina! Heaven’s blessings attend her!
While we live we will cherish, protect and defend her.”*

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THE HISTORY OF ORANGE COUNTY—PART I

BY FRANCIS NASH.

EARLY HISTORY OF THE PEOPLE OF ORANGE COUNTY.

In its genesis, Orange County, like the earth, was without form and void. Created by an act of the Assembly in 1752, its outlines were so indefinite, that no man might know where they were, and for the next two or three years the Assembly was engaged in fixing or moving these lines, after all, to have the whole matter disallowed in England.

The original act (23 S. R., 383) made the county boundary commence "in the Virginia line at a point where Hyco Creek was nearest to it, thence directly to the Beut of the Eno river below the Occaneechas, near to the plantation where John Williams now dwelleth," thus leaving what is now Hillsboro in Granville County. The line then ran down the south banks of the Eno and Neuse rivers to the mouth of Horse Creek, thence in a direct line to the intersection of Earl Granville's southern boundary with the Cape Fear River, $35^{\circ} 34'$; thence along said boundary to the Anson County line (half way between the Cape Fear and Yadkin rivers, 23 S. R., 343); thence northwesterly along the Anson line. The next year, 1753, the east boundary of the county was moved further east by running a direct line from the Virginia line 25 miles west of Harrisburg, the county seat of Granville, to the Neuse River. (23 S. R., 390-1.) At the same session, the west boundary of Orange was made more definite by the creation of Rowan County, and making its east boundary a direct line from Earl Granville's line, where the Anson line crossed

it, to the Virginia boundary. (23 S. R., 390.) Thus the original county of Orange contained parts of what are now Wake, Randolph, Guilford, and Rockingham counties, and the whole of what are now Durham, Person, Caswell, Alamance, Chatham, and Orange counties. The acts of the Assembly establishing the county of Orange (and others) were disallowed in England and repealed by proclamation as well as by act of Assembly (5 C. R., 1111, and 23 S. R., 446-7). They were, however, re-established in 1756. (23 S. R., 470-1.) In 1761 the east line of the county was straightened by beginning at the southwest corner of Granville and running thence a due south course to Johnston or Cumberland County, whichever line it may first intersect. (23 S. R., 547-8.) In 1771, Guilford (east line 25 miles west of Hillsboro 23 S. R., 823); Chatham (north line 16 miles due south of Hillsboro *Idem*, 827); and Wake (23 S. R., 819) were established. In 1777, all that part of Orange lying north of a point just 12 miles north of Hillsboro was erected into a county and called Caswell. (24 S. R., 24.) Even after all this pruning Orange remained still a large county, 28 miles north and south by 45 east and west. It is with this territory and its inhabitants that this sketch is principally to deal.

During all this period of doubt and confusion as to the corporate existence of the county, the County Court continued to meet and administer justice between man and man. The first court, Laurence Bankman, Andrew Mitchell, James Dickey, Mark Morgan, John Patterson, John Pittman, Marmaduke Kimbrough, and Joseph Tate, justices presiding, Alexander Mebane, sheriff, and Richard Caswell, clerk, met at the house of John Gray, on Eno, in June, 1752. The court-house was first located on the north bank of Haw River at Piney Ford, within fifteen miles of the west boundary of the county. Finding, however, that this was too far to the west, the court fixed its meeting place at the house of James

Watson, situated just east of where the present court-house stands in the town of Hillsboro. The Assembly, in 1754, reciting that the court-house had been located too far to the west, directed that it, with prison and stocks, should be located on, or near, where the western path crosses the Eno River on a piece of land on which James Watson then lived. (Martin Private Laws, 18.) This was the beginning of Hillsboro. In 1766 the Assembly required that the courts of the county, the offices of county officials and the election of representatives and vestrymen should always be held there. (*Idem*, 47.) In 1768 the Province was divided into six judicial districts, and of these was the Hillsboro district, composed of Granville and Orange counties, with the court to be held at Hillsboro on the 22d of March and September of each year.

The subject of the disagreement between the government in England and the Colonial Assembly in the creation and enfranchisement of the new counties is treated fully in Ashe, 284-8, and I need not elaborate it here. Suffice it to say, that the British Government insisted that the enfranchisement of counties and boroughs was one of the prerogatives of the King, and could not be assumed by the Colonial Assembly. That body finally yielded, and Orange County was enfranchised, with the right to send two members to the Assembly, in 1760. William Churton and Thomas Lloyd were the first representatives, and they appeared in March, 1761. William Churton, one of Earl Granville's surveyors, and the founder of Salisbury and Hillsboro, was Register of Deeds in Orange County. He afterwards returned to the eastern part of the province and, I believe, died there. Thomas Lloyd was a Welshman, and a man of culture and ability, who had recently settled on a place called the Meadows, nine or ten miles south of the county seat. Up to the Revolutionary War he was the most prominent man in the county. He died early in 1792, and to the present day has many descendants in Orange and elsewhere, Lloyds, Hogans, Osbornes, etc.,

including Mr. Stevenson, Vice-President during Mr. Cleveland's second administration.

The physical features of Orange County constituted it one of the most beautiful sections of North Carolina. Watered abundantly in its west by the Haw and its tributaries, in its north, center and east, by Eno, Little and Flat rivers, and their tributaries, and in its south, by New Hope Creek and its tributaries, it was an ideal range for the early settlers' horses and cattle and hogs. Speaking generally, it was a country of high hills and narrow valleys, with here and there gray, gravelly ridges, or elevated plateaus with much intermixture of sand with clay. The valleys were always fertile. The hillsides and tops and sandy uplands were only moderately so, while the gravelly ridges were generally poor and non-productive. Throughout all this territory, except on the poorer ridges, the forest growth was magnificent, with the oaks predominating. The soil seemed peculiarly adapted to the flourishing growth of all the hard wood, deciduous trees. Oaks four feet in diameter at their base were not uncommon, and occasional specimens six feet in diameter were found. Along the streams these oaks and hickories, birches, beeches, poplars and sycamores towered high, and the elm and the maple attained unusual size and unusual magnificence of foliage. There are remains of these forests to-day, which testify to their pristine grandeur. I have not seen anywhere finer specimens of the white oak, the beech, the cedar, and the maple, than we now have in Hillsboro. The large leaved elm, with fair opportunity the most perfect of shade trees, with its 100 feet spread of foliage, has, alas, been destroyed, in the past ten years, by an insect or blight. In the Dark Walk, too, on the south bank of the Eno, are stately oaks, hickories and poplars, which with their long, straight stems and crowns of foliage, lift themselves high in the air. On New Hope Creek in southeast Orange are acres and acres

of original forest growth, which if visited would prove a revelation to the city dweller. Astonishingly straight, smooth boles of white oak, hickory or poplar, crowded together, elevate their fronds high in search of sunlight, the billows of their foliage making dense shade below. Nowhere else can one obtain so clear a conception of the immense toil that confronted the early settlers when they came to make a home in this wilderness. It involved more than a contact with nature. It was a wrestling with it, as Jacob wrestled with the Angel of the Lord, and would not let Him go until the blessing had been bestowed.

All this territory was a paradise for the hunter and trapper, abounding in bear, deer, beaver, wild turkey and all the smaller varieties of game. It was the habitat and hunting grounds of the Haw, the Enoee and the Occoneechee Indians. The latter tribe's principal village was located just south of the Occoneechee Mountains. Quite a pretty tradition is told as coming from that tribe. As it concerns a locality with which this sketch is to deal, I give it for what it is worth. It may be entitled "The Maiden and the Birds, or, How the Redbird Obtained His Coat, and the Wood Thrush His Song." The Occoneechees were really a sept or clan of the Cherokees, and not a distinct tribe. They were never warlike, relying when too hard pressed by the Tuscaroras on the east and the Catawbias on the west, more on the protection of their powerful kinsmen, the Cherokees, than on their own prowess. They cultivated the soil much more extensively than did the other Indians of the period, and their dwellings were more comfortable and their towns better situated. Hospitality to the stranger was a tenet of their religion, and they welcomed all who came in peace with open hands. Their women were famed for beauty, and their men, though somewhat contemned for their unwarlike spirit, were noted hunters. Long anterior to the coming of the white man, there

was a village of these people just south of the Occoneechee Mountains. In that village was a maiden celebrated in all the land for her modest and gentle beauty. Her name was Ulalee, or the Wood Thrush, and she was a daughter of the chief. From her childhood she seemed to have an almost miraculous control over all birds. She knew all their habits, could imitate all their notes and never went abroad without being attended by them. Instead of fearing her, they were all emulous to attract her attention and fought for the privilege of being first stroked or petted by her. Especially was this true of a brown-backed, gray-breasted, bird, of the same size and shape as our cardinal grosbeak, or red bird. This maiden had many suitors, but cared for none of them. Her father had, however, contracted her to Oneluskee, a young warrior of her own tribe. She did not object to this, because she liked him. She did, though, want further time before assuming her duties as wife. The marriage, then, was postponed for a year, and meantime she was to be free to go and come as she chose.

About a mile from the village was a spring, beautifully located and said to have healing qualities. Here was the favorite resort of this wood nymph of the Occoneechees. There she would sit for hours attended only by the birds that, at her call, came from all the neighboring trees and bushes.

A day in May, as she was seated near the spring, young Kanandagea, of the Tuscaroras, on his first warpath against the Catawbas, came suddenly upon her. Now this young Indian Apollo was as famous for manly beauty among the Tuscaroras, as Ulalee for the softer beauty of women among the Occoneechees, and the two tribes were at peace. The young girl was not then alarmed at his advent, but welcomed him with graceful courtesy, and the two talked long. It was a repetition of the old story, one in which man is never so

savage, or so civilized, that he may not be an actor in it. The young warrior washed the war paint from his face, and instead of outlying about a Catawba village for a scalp, he outlay about the Occoneechee town for love. At this spring they met day by day, and the birds became almost as fearless of him as of Ulalee. One day they were sitting there, he whispering into her ear some pleasing story, which she answered by a bright glance of her dark eye and low, rippling, musical laughter, when Oneluskee came upon them. With one glance he knew all, but he greeted them with calm, stately courtesy and passed on. For the first time the young girl realized the danger of her situation. She loved the Tuscarora, but was contracted to Oneluskee, and unfaithfulness to that contract, according to the laws of her tribe, was death. Kanandagea urged her to fly with him at once, but she was unwilling to leave her tribe and her home, which she loved, without bidding them, at least, a silent adieu. She would meet him at the spring the following day, and then his people should be her people, and his God her God. When she returned to the village she met Oneluskee. He made no allusion to what had occurred, but treated her with his usual deferential tenderness. Everything about her, her tribe, her home, her family, the woods and the birds, had become so much a part of the very being of this artless child of nature that it was hard for her to give them up even for love. but the next day she was at the spring an hour before the appointed time. Oneluskee followed her there, and she greeted him with a quiet smile as he took his seat by her side. She was glad that he had come, for she believed him to be magnanimous and generous and her true friend, and she wished to tell him that she loved the Tuscarora and was to be his bride. He heard her story to the end without interruption, then he made no protestations of his own love, did not urge her to give up the Tuscarora. Instead he told

her that, according to their customs, she was already his lawful wife; that he had given her respite for a year that she might better fit herself to become such; that she had been unfaithful to him, and therefore she must die. She looked appealingly into his face, but could see no relenting there, so, without a word, bowed her head as he plunged his knife into her heart. He left her there, and her heart's blood, mingling with the little spring stream, discolored it. The birds, frightened away by Oneluskee, returned as he departed, and instead of singing their sweetest songs, uttered their harshest cries of alarm as they fluttered about the dead girl, except the bird with a brown back and a grey breast. He bathed and slashed in the discolored water, while his mate put her feet and bill in it, and sprinkled a little on her breast and on the tips of her wings. That is why the red bird is red now and his mate is not.

An hour after, the Tuscarora came for his bride and found her bleeding corpse. He took it in his arms, carried it to the village, and demanded justice upon the murderer. Oneluskee, before the elders, confessed the deed, and justified it from their immemorial customs. They sustained the defense, but admitted the right of the Tuscarora to single combat. They fought in the presence of the whole tribe, a duel long remembered in tradition, and the Tuscarora conquered. At his request he was adopted into the tribe. Ever after, attended by the birds she had loved, he lived a hermit life in the forest where she had roamed. A huge, time-scarred oak once stood within a few hundred yards of this spring. It was blown down in a great September storm some years ago. There, it is said, was his wigwam, and there, after living to a great age, he died and was buried. And to the present day his spirit and her spirit haunt this spring, and all through the woods, in spring and summer. one may hear the wood thrush calling Ulalee-e-e.

I do not vouch for the historical verity of this tradition, but it is, perhaps, well to preserve it.

The hunter and trapper were the first white invaders of this wilderness. Then came, that ever moving advance guard of civilization, the pioneer, with his pack horse, his cooking utensils, his weapons, a little salt and his wife and children. A small clearing was made in the forest, a log hut built and corn planted. The abundant game would supply his family with meat, the corn patch with bread. One of the earliest of these pioneers was an Englishman, named Alleman, who settled on a creek in what is now Alamance County, and, the writer believes, gave his name to that creek, and hence to the county itself. Then the tide of settlers commenced to flow this way, until the county became dotted here and there with little communities, only to be found by following trails which they had blazed through the forest. All north of 35 degrees 34 minutes being Earl Granville's grant, his surveyors followed hard upon the footsteps of the pioneers.

Pioneers began to locate in Orange as early as 1740, but the great army of settlers began its inflow in 1750 and continued until 1770. Of these the more numerous were the Scotch-Irish, Quakers, Germans and Welsh from Pennsylvania, and the English from Virginia and the eastern counties of the province. As to the Scotch-Irish I take the liberty of reproducing what I wrote three years ago:

THE SCOTCH-IRISH.

"Buffalo,¹ Alamance,² Hawfields,³ Eno,⁴ Little River,⁵ and New Hope⁶ were the principal Scottish-Irish settlements of Orange County in the period extending from 1755 to 1770. Buffalo and Alamance are now in Guilford County, while Hawfields is in Alamance. New Hope is an offshoot from

¹ Organized in 1756; ² 1762; ³ 1755; ⁴ 1755; ⁵ 1761; ⁶ by 1765.

Hawfields, and Little River from Eno. There were two or three smaller settlements in the territory then known as Orange, notably, one on Hyco Creek⁷ and one on Country Line Creek, both in what is now Caswell County. The Eno settlement was, however, more distinctively a Scotch-Irish community than any of these. The predominating element in the population of the territory bordering on the Virginia line was settlers from Virginia. The Hyco and Country Line communities to a great degree, and the Alamance and Buffalo communities to some extent, were in the very midst of these Virginia-English. With Eno it was otherwise. That was made up almost exclusively of Scotch-Irish settlers from Pennsylvania. That community, then, furnishes the best example of the Scotch-Irish community in Orange County.

“The Eno River has its source in a spring near the north-west corner of the present county of Orange. It flows in a general southerly direction until it reaches the Occoneechee Mountains. These deflect it to the east. The distance from its source in a direct line to the mountains is less than fifteen miles, yet there we find it a tiny trickling rill, while here it is a rapid-flowing stream, forty feet wide by three or four deep. Numerous brooks, or brooklets, or spring branches have discharged their waters into it since it began its journey to the sea and have made of it a small river. This shows how well the section through which it flows is watered. It is a country of hills and valleys, too. In 1750 huge forests spread in billows across the tops of these hills and down their sides and over the valleys. Along the creeks and larger brooks were to be found rich bottom-lands, needing but to be cleared and planted to yield abundant harvests.

“This section, too, was exempt from Indian raids. The only tribes remaining in the limits of the province of North

⁷ Organized as “Middle Hyco” in 1755. I am indebted to D. I. Craig, D.D., for these dates. F. N.

Carolina at this period (1750-55) who were at all formidable were the Cherokees and Catawbas. The latter tribe was fast disappearing, from disease and contact with the whites, and the Cherokees were formidable only to the scattered settlements outlying towards their own hunting-grounds. So safety, fertility, convenience and a mild and healthy climate all invited the adventurous Scotch-Irish of Pennsylvania to this section.

“It is probable that one or two families had already settled there as early as 1745, but the migration was at its flood-tide from 1750 to 1775. These immigrants were by no means pioneers, blazing the way for permanent settlers to come after them, but they were citizens of one province moving to another to improve their condition. They had already accumulated some property, owned lands and horses, cattle and sheep. They came from Lancaster, Chester, York, Berks, or Bucks Counties, Pennsylvania.

“Let us take one family as a sample and follow them in their migration. The winter of 1750-51 had been severe in Berks. A killing frost had come unexpectedly early and had seriously damaged the crops of Mr. T. His oldest child had sickened and died with pneumonia, and his wife had been desperately ill. He had heard of the success of some of his neighbors in the beautiful and fertile Valley of Virginia, but the bloody-minded Shawnees were on the warpath and were threatening the outlying settlements. Some of his acquaintances in Bucks County, however, had pressed on further south to the province of North Carolina, had settled on the Eno River and had sent back glowing accounts of the climate and of the country. He determined to go himself and spy out the land with a view of moving his family to a less hostile climate. In the late fall or early winter he sets out on horseback for this distant land of promise. Bearing to the west that he might strike the streams and rivers

where they are fordable, he passes across Maryland and through the Scotch-Irish settlements in the Valley of Virginia, and, after the lapse of about thirty days, enters North Carolina, into what is now Caswell County. He pauses for a while, perhaps, with the scattered Scotch-Irish on Hycocreek, but finally rides on to the Eno River.

"He is pleased with the country, selects his future home, sends for William Churton, one of Earl Granville's surveyors, and has it surveyed. After this is done he pays Churton his fees for the survey and also three shillings sterling,* consideration money for the deed which Churton is to procure for him from Francis Corbin, one of Earl Granville's agents, and have ready for him on his return with his family from Pennsylvania. Then, with the aid of the neighbors, he builds a log cabin on a suitable site, and, with the same aid, clears and fences a small parcel of land near it. The spring advancing, he plants corn in this little clearing, and, leaving it to care for itself, he returns to Pennsylvania for his family. There he sells all property which he can not carry with him to North Carolina, purchases three or four strong, sturdy horses, if he does not already own them, or, perhaps two yoke of oxen and a heavy, unwieldy but commodious wagon. In this are to be carried the household goods, and in it, the wife and younger children are to sleep. A milch cow or two are to be tethered to its axle, and perhaps a small flock of sheep are to be driven by the larger children behind it. When all is in readiness for their departure there is a public meeting held in the school-house of the district, for the people are unwilling that they should leave without some testimonial of their regard. A paper drawn up by the school-master is adopted and delivered, signed, to the emigrants. This I copy from the yellow and time-stained original. It is preserved in the family as a precious heirloom :

*In addition an annual quit rent of three shillings sterling.

“*To all persons whom these shall concern*—GREETING: Whereas, T. T. and Ann, his wife, the bearers hereof, are determined, God willing, to remove with their family in order to settle in some parts of his Majesty’s new settlements, and as divers of us have been well acquainted with them from their early youth, we do certify you that they are of a sober, honest, peaceable and good behaviour and are about to depart in the good esteem of the neighborhood and acquaintances in general. Therefore, as such we commend them to the favorable reception of those among whom it may be their lot to sojourn and settle, heartily wishing their prosperity and welfare on all accounts.

“In testimony whereof, we, their friends and neighbors, inhabitants of the township of Heidelberg and places adjacent in the county of Berks, in the Province of Pennsylvania, have hereunto set our hands, the 14th day of May, Anno Domini 1752.’ Then the signatures follow.

“They commenced their long and tedious journey soon after this paper was given them. All along the way Sunday was to them a Sabbath of rest, and probably of praise and thanksgiving. During the week-days they made on an average ten miles a day, so they would arrive at their new home about the first of August. As they would pass through the settlements in Maryland and Virginia, they would be met with words of cheer, and there they could replenish their supplies of food. When, wearied and footsore, they arrived at the end of their long journey, the neighbors flocked to welcome them and to aid them in establishing their new home. That home was established about eight miles north of the present town of Hillsboro, and is still in the possession of some of the descendants of the original owners.

“This family is a type of the Pennsylvania Scotch-Irish settlers. Many others came in the ensuing five years, quite often several families joining in the migration, and Eno

soon became one of the most thickly settled sections of Orange County. By 1755 they had built a log school-house and church, seven miles north of Hillsboro. At this church, or rather school-house, for it was never dedicated as a church, Rev. Hugh McAden preached as he journeyed through the country in 1755. In the same year there was a regular Presbyterian Church organized there, and soon after a frame building was erected, the log house continuing to be used as a school-house. The church organization exists to the present day, being now 160 years old, but in the spring of 1895 a forest fire destroyed the old church building, and the new one was erected at the village of Cedar Grove, some miles off. At the old site, however, there is a very large and well-filled graveyard, in which four generations of Scotch-Irish have been buried.

“The church and the school-house have always been, and always will be, the mainstay of this admirable race. They realized, as few other races of men have realized it, that the church without the school-house was a fosterer of superstition, while the school-house without the church was a promoter of irreligion and infidelity. So, close by their churches they built their school-houses, and over the doors of both they inscribed in living letters, ‘The Lord He is God.’ This, it seems to me, is the key to their character and the secret of their greatness.

“The criminal records of Orange County, from its organization to the present day, show that there was less immorality and crime among the Scotch-Irish than among any other class of people within its bounds. At all periods of its history they have been most valuable citizens. But this is not all. Their sons have gone out into many other States, carrying with them the respect for law, morality and religion which characterized them at home. Many of them have attained distinction in the various walks of life, and all of them have been useful men and women.”

Hawfields, or Haw Old Fields as it was at first called, had certain unique characteristics, which make it worthy of a more extended notice. Here had been the home of the Saxapahaw Indians. These Indians, like nearly all the tribes in central North Carolina, were less nomads and more agriculturists than the northern and western tribes. These old fields had been cleared by them and cultivated by them. Thirty thousand acres of these lands were patented by Edward Mosely. From him they passed to Governor Burrington, and from him to Samuel Strudwick in the manner set out in "Hillsboro, Colonial and Revolutionary," page 95 *et seq.* As early as July 20, 1731, Colonel Byrd wrote to Governor Burrington of them (3 C. R., 194), "But no place has so great a character for fertility and beauty of situation as the Haw Old Fields." The Scotchman had lost none of his cannyness from his temporary abode in the Emerald Isle, or his pausing for a few years in the colony of Pennsylvania. When he came south, then, he generally selected the best lands in the section wherein he located. Hawfields early attracted his attention. The Mebanes and others located there certainly as early as 1745, and possibly earlier. The activity of the northern and western Indians, in the period commencing in 1750 and ending at Braddock's defeat in 1755 not only vastly increased the migration from Pennsylvania, but also from the Valley of Virginia, to North Carolina. It was during this period that the Hawfields and the region about it was settled. When Mr. Strudwick arrived in this country, October, 1764, he found much of the land obtained by him from Burrington already occupied. He immediately set up his claim, with the result that titles were so unsettled in the Hawfields, that many of the inhabitants, such as the Craigs, Blackwoods, Freelands, etc., removed to New Hope.

The Hawfields were on the east side of Haw River. The

Quakers and Germans, however, settled on its west side, the Quakers on Cane Creek and the Germans, in the region of Stinking Quarter, and Alamance Creeks. The Quakers had erected their meeting house on Cane Creek as early as October, 1751, there being thirty families in the settlement. (Records of Cane Creek Meeting at Graham, N. C.) The Quakers, however, were not confined to this locality. There was a settlement of them north of Hillsboro, and there was a number of families in the town and east of it. The German settlement, or Dutch, as it was universally called by others of the county, was not large, and it was segregated by its language and the habits of the people themselves. They took little or no interest in public affairs, had their own preachers, who preached to them in the German language, and their own church, which was situated on the neck of land between Stinking Quarter and Alamance Creeks.

Further west on Sandy Creek, the home of Herman Husband, Baptists from Virginia, under Shubael Stearns, organized a church and erected a meeting house in 1755. (5 C. R., 1167.) "These new comers found the inhabitants about their colony grossly ignorant of the essential principles of the Christian religion. They knew something of the form of godliness but nothing of its power. They thought that religion consisted only in the practice of its outward forms, they knew nothing of conviction and conversion, and to be able to ascertain the time and place of this wonderful miracle was to them equally wonderful. The new preachers' style of preaching was to them also very novel. They had acquired a very warm and pathetic address, accompanied by strong gestures and a regular tone of voice. Being often deeply affected themselves when preaching, corresponding affections were felt by their hearers, which was frequently expressed by tears, trembling, screams and exclamations of grief and joy." "Very remarkable things," said Morgan Edwards in

1775, "may be said of this church. It began with 16 souls, and in a short time increased to 606, spreading its branches to Deep River and Abbott's Creek, which branches are gone to other provinces, and most of the members of this church have followed them; insomuch that in 17 years, it is reduced from 606 to 14 souls." It is interesting to note that these early Baptists administered the following rites: Baptism, the Lord's Supper (once a week), Love Feasts, Laying on of Hands, Washing Feet, Anointing the Sick, Right Hand of Fellowship, Kiss of Charity and Devoting Children. The latter rite was thus performed: "As soon as circumstances would permit, after the birth of the child, the mother carried it to the meeting, when the minister either took it in his arms or laid his hands on it, and thanked God for His mercy, and invoked a blessing on the child, at which time it received its name. This rite, which by many was satirically called a dry christening, prevailed not only in the Sandy Creek Association, but in many parts of Virginia." (5 C. R., 1172.)

The Welsh settled in Orange, south of Hillsboro and between that town and the Chatham County line. The number of these was small, but they were unusually intelligent, and have still many descendants.

The English, however, constituted a majority of the settlers in 1755. Communities composed almost wholly of them could be found along the Virginia line and in the eastern part of the county, besides individual families nearly everywhere. There were 950 taxable white polls in the county in 1755, and 50 negro polls, indicating a population of about 5,000. The negro slaves were the property of the English. (5 C. R., 575.) It is interesting to note that at the same period Granville, settled almost wholly by the English, had 779 white polls and 426 black polls. So though the population of Granville exceeded that of Orange by 1,000,

that excess, and more, was entirely negro. Again, Granville had 734 militia out of her 779 white polls, while Orange had only 490 militia out of her 950 polls, thus indicating a large proportion of non-combatants, Quakers and others, in the latter county. (*Idem.*) It was, too, then, as it has always been, a country of small farmers. Of course social conditions were exceedingly primitive and crude, and, if we are to believe some of the itinerant Church of England missionaries who visited this people, in some sections, rough and rude. Especially was this true of the English population. The Scotch-Irish and Quakers have been at all periods of their history strictly upright, honest and moral.

With the organization of the county seat in 1754, its growth and change of name to Childsburg in 1759, and its continued growth and second legally authorized change of name to Hillsboro in 1766, and Governor Tryon's patronage, there was collected a body of men of sufficient culture and intelligence to make them distinctively the most influential class in the county—merchants, attorneys and county officials. The governing body of the county, however, that which not only administered justice between man and man, but managed its finances and controlled its internal affairs, was the County Court, and that was composed of justices selected from all sections of the county. So well did this system suit the genius of our people that it continued in force, with very little or no modification, until after the Civil War, when aliens, usurping the government, abolished it in 1868. The representatives in the Assembly were elected, too, by the freeholders, and land was so cheap and abundant that nearly every one was a freeholder. There is no period of our history in which the rights of the individual as opposed to community rights were so much respected and so vigorously defended, as in our colonial period. This was as much the result of the colonists' British antecedents and

British training as of the distance of settlement from settlement—a distance that prevented the mutual dependence of man upon man, out of which the community right springs. In the large view of it, then, the people of Orange embodied in themselves as advanced a democracy as could be found anywhere at that time.

In the decade, 1755 to 1765, the county filled rapidly. In the latter year there were 3,324 white polls and 649 negro polls, indicating a population of about 18,000. (7 C. R., 289.) A year later white polls were 3,573, an increase of 249, and black polls were 729, an increase of 80, indicating a population of over 21,000. (*Ibid.*, 539.) Perhaps the most important event that occurred in the county in 1765 was the location of Dr. David Caldwell there as pastor of Buffalo and Alamance churches, and of Rev. Henry Patillo as pastor of Hawfields, Eno, Little River and New Hope churches. All these churches had been before visited by Mr. Patillo and the Rev. Hugh McAden, and perhaps others, as missionaries; but no Presbyterian minister had been located in the county before 1765. The coming of David Caldwell and Henry Patillo then meant much more than a series of sermons at certain set and stated times. It meant the erection of school-houses where they had not been before, and the training of the youth of the country in all that would render them useful men and women. It meant the selection by the people themselves of a competent leader and adviser in all the higher and better things of life. Says Dr. Charles Lee Raper: "When these minister-teachers came to the hills of North Carolina they found only a few people, and these scattered far and wide; they found a very primitive stage of life—pioneers in a very wilderness; they found a people possessed of great ignorance, but with native good sense and vigor; they found a vast amount of the forces of nature to contend with and to conquer and a primitive people to develop into a higher life. And these Scotch-Irish minister-teachers were an energetic

body, a band of heroic missionaries. * * * These bright, vigorous and independent men brought with them ideas which have exercised the profoundest influence upon all the phases of our life and thought—upon our religion, our politics, our industry and our education. Their churches and schools soon became the centers of ideas—the places of their nourishment and their spreading * * * the fountains of intellectual vigor for a great portion of our own ancestors. * * * The Scotch-Irish Presbyterian minister-teacher deserves at the hands of the historian and at the hands of our people a thousand times more consideration and veneration than we have ever thought to pay him. * * * He possessed the ability to appreciate intelligence and culture as none other of our colonial ancestors did; he keenly appreciated the exceedingly great and permanent value of education, for the individual and the community alike. He gave his very life—its ideals, its energy, its enthusiasm—to the teaching of his fellow-men; his school was ever a shining and brilliant light. He stood out, and always, for the light of classical thought and culture, and proclaimed the power of knowledge, of character and refinement, in the midst of ignorance and crudeness.”

Three years later, in 1768, Rev. Hugh McAden took charge of the churches in what is now Caswell County, and for thirteen years labored within their bounds both as teacher and preacher.

In the Act changing the name of Childsburg to Hillsboro, November, 1766, the Directors of the town were authorized to sell certain lots, excepting, however, among others, a lot or lots which they may or shall reserve for a church, a school-house and a burying ground. The lot that had been, probably, already reserved, was lot 98 in the plan of the town, situated at the corner of Tryon and Churton streets. The building of St. Matthew's church was commenced soon after the enactment of this law, immediately on the corner of these streets. I wish to emphasize this fact, because it is said

by some, to the present day, that by some hocus-pocus the Presbyterians got possession of old St. Mathew's and converted it to their own use. Indeed it is constantly said that the Convention of 1788 met in the Presbyterian Church in Hillsboro, and engravings of that church as such meeting place have been printed in books. As a matter of fact, the Presbyterian Church is not even on the site of old St. Matthew's, was erected long after the Convention of 1788, and no political meeting, convention or other has ever been held in it. Old St. Matthew's was of wood, the Presbyterian Church is of brick. Old St. Matthew's stood immediately on the corner, with its front entrance and tower to the south, while the Presbyterian Church stands 100 feet west of the corner and facing west. There was no Presbyterian church organization in Hillsboro until 1816, and the present church building was erected after that time, with the consent of the town authorities who owned the lot on which it is situated, it being the lot reserved, as above stated, for a church, a school-house and a graveyard.

Rev. George Meiklejohn came to Hillsboro to minister in charge of St. Matthew's Parish in 1767. He, also, was a school master and established an academy in Hillsboro. He was something of a Dominie Sampson in appearance, but was far from being so impractical, and is said to have been, though somewhat stern and harsh, a good teacher of the classics.

There were other schools and teachers in the county, outside of Hillsboro and these Presbyterian communities, but it is impossible to ascertain with any certainty how many there were, and where located. Rednap Howell, of Regulator fame, was a peripatetic schoolmaster, and William Few, in his Autobiography, an extract from which I give below, tells of one in his own experience. The Quakers on Cane Creek certainly had a school of their own, and it is quite probable that there were others in the more thickly settled communi-

ties, supported by the better class of farmers. William Few gives so graphic a picture of the times in his Autobiography (*Magazine of American History*, November, 1881, pages 343 *et seq.*) that I feel justified in extracting the following from it. William Few was a younger brother of James Few, also of Regulator fame, and himself, later attained great prominence in the State of Georgia, and, after removing to New York, also in that State:

"I was born in Maryland, in the county of Baltimore, on the 8th day of June, 1748. My father was a farmer, and having lost the greater part of two or three crops by frost, determined that he would seek for a country more favorable to agriculture, and, having conferred with his neighbors on the subject, two of them agreed to accompany him in search of a more fertile country and a milder climate. Having prepared for their journey, they set out southwardly, and, after traveling about three hundred miles, found themselves near the middle of the province of North Carolina. There they halted in order to explore the country, and being pleased with the soil and climate, purchased lands on the banks of the Eno River in the county of Orange (about six miles east of Hillsboro). These lands were in their natural state. Not a tree had been cut. The country was thinly inhabited, and the state of society was in the first stage of civilization. My father employed a man to build a house on his lands, and returned to remove his family. After selling his lands in Maryland and such of his goods and chattels as were not movable, the remainder was placed in a wagon drawn by four horses and in a cart drawn by two. In the Autumn of 1758 he set out for North Carolina with all his family and property. There a new scene opened to us. We found a mild and healthy climate and fertile lands, but our establishment was in the woods and our first employment was to cut down the timber and prepare the land for cultivation. My father had taken with him only four servants, who were

set to work, and every exertion was made to prepare for the ensuing crop. Then it was that I commenced the occupation of farmer. An axe was put into my hands, and I was introduced to a hickory tree about twelve or fifteen inches in diameter, and was ordered to cut it down and to cut off its branches. There was novelty in the business with which I was at first pleased and I cheerfully began the operation, but soon found myself extremely fatigued. My hands blistered, and the business progressed very slowly; I thought my situation most deplorable, but I dared not to resist the order I had received to cut down the tree. I was obliged to proceed, and found that practice every day made the labor more agreeable, and I was gradually instructed in the arts of agriculture; for that was all I had to learn. In that country at that time there were no schools, no churches or parsons, or doctors or lawyers; no stores, groceries or taverns, nor do I recollect during the first two years any officer, ecclesiastical, civil or military, except a justice of the peace, a constable and two or three itinerant preachers. The justice took cognizance of their controversies to a small amount, and performed the sacerdotal functions of uniting by matrimony. There were no poor laws nor paupers. Of the necessities of life there was great plenty, but no luxuries. These people had few wants, and fewer temptations to vice than those who lived in more refined society, though ignorant. They were more virtuous and more happy. In the year 1760 a schoolmaster appeared and offered his services to teach the children of the neighborhood for twenty shillings each per year. He was employed, and about thirty scholars were collected and placed under his tuition. In that number I was enrolled. This was the second school I had been put to. When about six or seven years of age, I was sent to a country school of the lowest grade. The teacher was an ill-natured, arbitrary man, who punished with rigor, and enforced his

precepts with terror. The man was to me the most dreadful of all mankind. I detested the man, the school and the books, and spent six or eight months at that school in terror and anxiety, with very little benefit. I was now more fortunate. This schoolmaster was a man of mild and amiable disposition. He governed his little school with judgment and propriety, wisely distinguishing the obedient, timid child from the obstinate and contumacious; judiciously applying the rod when necessary. He possessed the art of making his pupils fear, love and esteem him. At this school I spent one of the most happy years of my life. I had the highest respect for my preceptor, and delighted in his society and instruction, and learned with facility. With him I finished my education, the whole expense of which did not exceed five dollars. In that simple state of society money was but little known; the schoolmaster was the welcome guest of his pupil, fed at the bountiful table and clothed from the domestic loom.

“In 1764 my father purchased a farm and removed his family near to Hillsboro, which was the metropolis of the county, where the courts were held and all the public business was done. It was a small village, which contained thirty or forty inhabitants, with two or three small stores and two or three ordinary taverns, but it was an improving village. Several Scotch merchants were soon after induced to establish stores that contained a good assortment of European merchandise, which changed the state of things for the better. A church, court-house and jail were built, but there was no parson or physician. Two or three attorneys opened their offices and found employment. Superior and Inferior Courts of Justice were established, and a fair field was opened for the lawyers. It was to me the highest gratification to attend the courts and hear their pleadings, and my ambition was excited to acquire the knowledge and ascend-

any they seemed to possess; but I had no other way or means of learning but by attending the courts and hearing the principles of law discussed and settled, until I had prevailed on a lawyer to lend me Jacobs' Law Dictionary, which I considered the greatest favor he could confer. I read the book attentively, but not with much benefit, for I was not sufficiently acquainted with the law terms to make much progress; notwithstanding it was believed that I had acquired some law knowledge, for my neighbors sometimes applied to me for my opinion on their matters of controversy, which was flattering to my vanity, and stimulated me to greater exertions. In that country at that time there was great scarcity of books. My father's whole library consisted of a folio Bible, Tillotson's Sermons, Barclay's Apology and a few other religious books, which I read over and over, for I was fond of every book I could get. About this time my father purchased Dyce's Dictionary and a set of the Spectators, with which I was greatly delighted, although I found the Spectators were wrote in a style different from those books I had been accustomed to, and contained many words I did not perfectly understand, which often made it necessary to apply to the dictionary for a definition. In this way I soon acquired a knowledge of these books and read them with additional pleasure and much improvement.

"About the year 1767 my father bought a farm seven miles distant, which was placed under my care, and it required my whole attention. It became my duty every Monday morning to go to the farm and remain until Saturday, and I was employed at the plow. It was my practice every Monday to take with me a book which I read at leisure hours, and took it with me to the fields, and when fatigued I retired to a shade and read. By those means labor became pleasant and agreeable, while the mind was amused and the understanding improved. Here I enjoyed the greatest part of one

year in uninterrupted peace and tranquillity. I had only two objects in view: reading to acquire knowledge, and the cultivation of the soil, which alternately exercised my corporal and mental faculties. I now experienced that the proper and equal exercise of body and mind insures the greatest portion of human happiness. I was successful in my labor; the season was favorable and I raised a good crop."

This is, no doubt, an accurate account of William Few's life in Orange County as boy and youth. His father, though, belonged to the better class of farmers, had more means and a better education than the average settler. He had been a Quaker, but had severed his relations with his Meeting by marrying out of the connection in Maryland, and though known as a Quaker in his new home, he was not one in good standing, for that reason.

At this period there was no industrial life of the people, except that depicted by Few. Agriculture was their only calling, to which both men and boys were devoted, while the women and girls looked after household affairs, spun and wove the wool, or cotton, out of which their own clothing and that of the men was made. While no doubt there were artisans in Hillsboro, carpenters and blacksmiths, weavers and hatters, out in the sparsely settled country districts nearly every one was his own carpenter and his own blacksmith. Every eligible stream in the county had somewhere along its course a grist mill, some of them two or more, while in a few instances a sawmill was connected with it. A little later, about 1769, brick were made in and about Hillsboro, but they were used only for chimneys, even then. Out of the town chimneys continued to be built of stone, with a pen of sticks on top daubed with clay.* The coming of the Scotch merchants to Hillsboro, of which Few speaks, William Johnston, James Thackston and Ralph Macnair, was a

* At this time there were two fulling mills on Deep River.

double convenience to the inhabitants of the county. They could get from them necessary supplies of salt, or powder or lead or agricultural implements for themselves and the equally necessary articles of needles, cards, etc., for their wives and daughters, by the exchange of their products, or peltries, for them, when otherwise they would have no market, or at best a very distant one, for these products. They could get from them, too, many other articles, not so essential, but adding very much to their comfort and to that of their families. These merchants kept wagons almost constantly running from Hillsboro to Cross Creek or New Bern, taking down loads of the country's products and bringing back loads of goods for their stores.

The amusements of the people were the usual rough sports of the frontier. As I have said elsewhere: "To it (the county seat) come the merchant, the lawyer, the tavern-keeper, the artisan and the court officials, adventurers all, in the perennial pursuit of gain. Rude in its beginnings, the town is, however, the emporium for the trade, and the headquarters for the politics, the news and the fashions of all the country about it, and to it great crowds come at the quarterly courts for a holiday—a holiday that partakes of the strenuous character of the people themselves. The best shot of one community pits himself against the best shot of another; the cock of the walk of Haw River must try conclusions with him of Little, or Flat, River, while the friends of each look on, restrained from indulging in a free fight themselves only by their interest in the main event; and so on, wrestler with wrestler, runner with runner, race-horse with race-horse and game cock with game cock—a strong, free people as yet but half civilized, unconsciously preparing itself for a great career. Meantime the stock of drinkables at the various taverns is growing smaller and smaller, and the self-important Justices are sitting in the court-house try-

ing minor offenses or settling minor disputes between man and man, and puzzled occasionally by some astute lawyer, referring, in hope of enlightenment but in a helpless way, to Nelson's Justice, Cary's Abridgement of the Statutes, Swinborn on Wills, Godolphin's Orphans' Legacy, Jacobs' Law Dictionary, or Wood's Institutes—books required by law to be upon the court table." These people had, too, their neighborhood amusements—house-raising, corn-shuckings, shooting-matches, at which there was much drinking of strong drink, and the two first of which were followed (out of Quaker, Baptist and Presbyterian communities) by rustic dancing with the music furnished by a neighborhood fiddler. This was one side of the people's life; but there is another which I wish to treat somewhat fully, so will put it under a heading to itself, in which I will use freely what I have heretofore written.

THE REGULATORS.

The Regulator disturbance beautifully illustrates the effect of agitation against real grievances, but grievances which can be best redressed under forms of the law, upon an ignorant, headstrong, lawless populace.

Solon likened the people to the sea and their orators and counselors to the winds, for the sea would be calm and quiet if the winds did not trouble it. The illustration is none the less happy because it may be turned and viewed from another side. There would be stagnation and death in the sea were it not troubled by the winds. So there would be the torpidity of slavery among the people, could they not be aroused to action by their orators. Eternal vigilance is indeed the price of liberty, and the abiding place of that liberty is in the hearts of the people. So much so, that a people fit to be free has been, and always will be, free. Continuing the illustration however, as there are great tidal movements in the

ocean, independent of winds or weather, so here and there in history are great popular uprisings not induced by the appeals of orators. They are caused by oppressive or disorderly government, and come not from a desire to attack, but from an impatience of suffering, as the Duke of Sully, one of the wisest of statesmen, said centuries ago. The French Revolution and the recent stir in Russia are instances. In a representative government, whether a constitutional monarchy or a republic, they have never occurred, and, from the nature of things can never occur. The people of our own country have never been aroused to determined action unless first stirred by their orators and organized by their leaders. A free people, conscious of their freedom, are inapt to see and, when seen, not prone to avenge by violence a minor infringement of their collective rights, sensitive though they are to any attack upon an individual right. It is the province of orators and agitators, those sentinels upon the watch towers of liberty, to warn the people of any approach of danger. This can be most effectively done, among a people volatile or impulsive or ignorant or half educated, by a broad and misleading definition of their rights, an exaggerated and highly colored statement of their wrongs, and by vehement invectives against their alleged foes. In other words, such a people suffers from a species of political myopia, and things and persons and events must be magnified that they may see the better. Made thus to believe that they are oppressed, they, naturally inert, are aroused to action, not from an impatience of suffering but from a desire to attack. This was the method of Herman Husband, the agitator and organizer, of Rednap Howell, the orator and bard, and of James Hunter, the spokesman of the Regulators. It is not a new method. It is as old as freedom itself, and we see it exemplified in every presidential election to the present. Only the omnipresence of the law and its restraints and the greater

sensitiveness of the people to these restraints prevent each hard-fought campaign from becoming a series of bloody riots, if not a civil war. The absence of these restraints, or their ineffectiveness, made the Regulator movement culminate in the Hillsboro riot and the battle of Alamance. And herein, too, is found the soundest basis for that complete and perfect education of all the people, which is the dream of the most advanced statesmen of the day. The State may take a small portion of the property of A to assist in the education of B's children by way of tribute for the protection of the rest of A's property. This universal education will not only make the people more sensitive to any encroachment on their rights, but it will make them more intelligent and more self-controlled in pursuit of remedies for such encroachment. In other words, they will cease to be facile instruments in the hands of demagogues and selfseekers.

In popular movements, such as the Regulator movement, it is the office of the agitator and orator to stimulate action, and of the leader to organize, guide and control the strength of the people so that it may become effective in action. In this sense the Regulators had no leader. Herman Husband, the ablest of them, was a great agitator and an excellent organizer, but there he stopped short. He lacked the bold determination and dauntless courage required of a leader of the people in such a crisis. Rednap Howell, the orator and bard of the movement, was an active, energetic and shrewd agitator, but there he stopped short. He had neither the ability of an organizer, nor the courage of a leader. James Hunter was intelligent, honest and intrepid, but in the rare qualities necessary to manage and control bodies of unruly men, he was wholly deficient.

That the people had just cause of complaint against the officials is true beyond doubt. A loosely drawn and ambiguous fee bill gave opportunity for each man to put his own

construction upon it; and, as human nature was the same then, in general features, as it is now, the officials construed it liberally in their own favor and the agitators construed it strictly against them. Of course calculations made upon such a totally different basis resulted in a conflict which could not be reconciled. (8 C. R., pages 312, 322 and 388, and 23 S. R., 275 *et seq.*) If the act was ambiguous, it is manifest that the remedy therefor was to be found in an amendment by Assembly itself. If, however, the officers were using the ambiguity of the act as a cover for extortion, the remedy was by indictment in the courts. The Regulators went about securing this remedy, at first, in a perfectly legal way, and, if this method of securing redress had been pursued consistently, the evils would have been removed without the shedding of a drop of blood. These were their rules of conduct at first:

1st. Let us be careful to keep sober, nor to do nothing rashly, but to act with deliberation.

2d. Let us do nothing against the known, established laws of our land, that we appear not as a faction, endeavoring to subvert the laws and overturn the system of government; but let us take care to appear what we really are, free subjects by birth, endeavoring to recover our best native rights of reducing the malpractices of the officers of our courts down to the standard of law.

If then, in their subsequent career, they were not careful to keep sober and to do nothing rashly; if they disregarded the established laws of the land, they are convicted out of their own mouths of being factionists and subverters of the laws. Let us see how this was. Husband says that the organization of 1766 went to pieces, but was revived and made more efficient and strong the latter part of 1767. Some one informed them at that time, or the early part of 1768, that taxes were being paid to retire an issue of paper money

after that object had already been accomplished. Soon after, too, they were informed that £15,000 had been appropriated for the erection of a Governor's House at New Bern. So to the Regulators it was made to appear that they were being robbed not only by their local officials, but by Governor Tryon himself. They determined to pay no taxes: "We are obliged to seek redress by denying paying any more taxes, until we have a full settlement for what is past, and have a true regulation with our officers." Now this was an attempt to apply a remedy to existing evils by violence and force, by illegal means, and Husband knew this very well, for he excuses himself and others by saying that they protested against and never agreed to this plan. He says also, "That not one-third man on the west side of Haw River had yet concerned themselves, yet they were afterwards forced to join as one man in defense of their lives." (See Husband's Book in Wheeler, pages 307 *et seq.*)

The determination not to pay any taxes at all was persisted in until the latter part of 1768. It is perfectly manifest that this was not a justifiable means to remedy the evil complained of. If the sheriff, when he comes to collect taxes, had to convince every citizen that every item was legal, every item legitimate, else no taxes should be paid, and if he attempted to levy, he should be beaten, if not killed with impunity, then anarchy necessarily ensues. Government itself, if it permitted this, would abdicate its functions to a mob. It could be a state no longer. It was tried in the Whiskey Rebellion in Pennsylvania, and General Harry Lee, under President Washington's orders, crushed that. Shay tried it in Massachusetts, and General Lincoln crushed that rebellion. So this second movement of the Regulators, being a combination between two or more to do an illegal act, was in law, a criminal conspiracy. Now it was on this ground that Husband was acquitted on his trial at the September

Term, 1768, while William Butler and others were convicted. There was proof that he had been a prime mover in the first plan, but this was legal, while on the other hand there was none that he had encouraged the second and illegal plan. The others had, and they were convicted, while he was acquitted. What, then, was the consequence of the refusal to pay taxes? The sheriff of the county, Tyree Harris, had charged against him all the general and county taxes that had been listed, amounting to 10 shillings and 8 pence per poll, proclamation money, or stated in another way, legally about \$1.75, but for purposes of trade, about \$1.40. His account could not be credited with any sum that he failed to collect, unless allowed by the County Court for the county, or by the Assembly, for the province at large. So there he stood between two fires: the law compelling him to collect this amount and the Regulators threatening him with castigation or death if he attempted to do so. (7 C. R., 491, 772, 798-9.)

The amounts specifically objected to by the Regulators were 3 shillings for the retirement of outstanding paper money and 8 pence for Tryon's palace. Those who insist on canonizing these factionists as patriots invariably forget that no power short of the Assembly could remit this three shillings, and that the representatives of the people, including the Regulators, had expressly authorized the erection of the palace and the levy of the eight pence. In other words, they forget that the government was representative and that the Assembly held the public purse in its hands, and held it as firmly as ever did a reformed Parliament, or does now the State Legislature. In no aspect of the case could either of these taxes have been illegal, though both may have been unjust. Nor was there any inequality in the poll tax system between the east and west. All slaves above 12 years of age and under 50, male and female, were taxed at the same rate as the whites, while the white males, only, be-

tween 18 and 50 were taxed. The polls, white and black, in Mecklenburg, Rowan, Orange, Granville, Bute, Johnston, Cumberland and Anson were, in 1767, 18,102, while in the rest of the province they were 32,942. (7 C. R., 539.) This poll tax was the only tax the people were compelled to pay, and it was in no sense oppressive, either in amount or in its method of collection. Whether an *ad valorem* property taxation would not have been better is outside of the discussion.

It is true that the currency of the province was inadequate for the business of the province, and this was peculiarly hard upon those in the back parts of the country. But that is a condition common to all new settlements away from markets and navigable streams, with these markets only to be reached by a long land carriage over almost impassable roads.

All these conditions, however, were but fuel to the agitators' flame, and the people, banded together in an illegal combination, were made to hate lawyers, public officials and merchants with an intense and bitter hatred, and taxes were to them a cruel imposition and tax collectors agents of a tyrannical power. Taxes, even now, in the twentieth century, are regarded as a necessary evil, and perhaps a majority of the people of the whole country are tax dodgers in some form. It is certain, then, that those who, in the eighteenth century were scattered, here and there, in lonely settlements throughout the backwoods of North Carolina, not needing the protection of the government and caring nothing for its benefits, paid out with grudging hand the hard-earned pittance that the government wrung from them.

In April, 1768, Tyree Harris, pressed by the law on one hand and by the Regulators on the other, seized a horse of one of them while he was in the town of Hillsboro. The man disappeared, but soon returned with a band of a hundred horsemen. The sheriff was seized and tied to a tree.

the horse rescued, the citizens of the town were terrorized and insulted, Fanning's house was fired into and the horse-men vanished. Sheriff Harris, in making this levy, was strictly within the law, which was the same then that it was after the Revolution. (Compare 7 C. R., 487, with Potter's Rev., 498.) If any taxpayer failed to attend at the time and place fixed for the payment of taxes, the sheriff might distrain at any time thereafter for the taxes. So the sheriff was doing a legal act in a legal way, while the Regulators were carrying into effect their illegal combination by doing an illegal act. Suppose such an outrage as this should be perpetrated in North Carolina to-day, what would be done? Governor Kitchin would be bound by his oath to call out the State Guard, if the power of the county should prove insufficient, that such flagrant contemners of the law might be brought to justice.

A warrant was sworn out against Herman Husband and William Butler on May 1st. They were arrested and brought to Hillsboro, the intention being to commit Husband to the New Bern or Wilmington jail, but this was frustrated by the collecting of a mob for their rescue, and both prisoners were admitted to bail. (7 C. R., 742 *et seq.*) The mob dispersed on May 3d, after being assured by Isaac Edwards, Secretary to the Governor, that if they should petition Governor Tryon he would do all he could to remedy their wrongs. Tryon reiterated these promises in his letter of June 20th, in answer to their petition presented by James Hunter and Rednap Howell, but impaired the effect of this, among the Regulators, by demanding that they conform to the law, quit their illegal association and pay their taxes. (*Id.*, 792.) He, with his Council, was in Hillsboro, during August of that year, and then the Regulators handed him a letter. In answer he assured them that the officers should be prosecuted in the proper forum, the courts, and that their purpose to peti-

tion the Assembly met with his hearty approval, and that he would continue to do all he could to have their grievances remedied according to law, but warns them of the consequences of their illegal acts. Meantime they had refused to pay any taxes, and had sent Tyree Harris and Ransom Southerland back to town very thoroughly convinced that it was dangerous to distrain for them. (*Id.*, 698.) Meantime thousand-tongued rumor was busy throughout the section. Tryon was to bring the Indians down upon their settlements. At the coming court their leaders were to be tried and executed while the officers were to go scot free. The Regulators, then, while professing full and hearty allegiance to King George and perfect satisfaction with their form of government, must maintain their organization and be ever ready at an instant's warning to run together and protect themselves. (*Id.*, 810.) Tryon thought that they intended to rescue Husband and others at the coming court. He demanded that twelve of their leaders should execute a bond in the sum of £1,000, conditioned that no rescue should be attempted. At the same time he informed them that this was done to save the heavy expense of calling out the militia to defend the court. They replied that there was to be no rescue and refused to give the bond. The militia was called out, and the event justified the prevision of the Governor, for on the morning of the first day of court about 1,000 Regulators were encamped about a half mile north of Hillsboro. (*Id.*, 819.) Governor Tryon's course, in this regard, was endorsed by the best people of the west as well as of the east. The army was composed largely of Mecklenburg and Rowan Presbyterians. Rev. Henry Patillo, always an ardent patriot, on Sunday, September 25th, preached a sermon before them, for which he was thanked in general orders. (*Id.*, 835.) Nor was he alone among the preachers in condemning the Regulators and approving the Govern-

or's course. (See address to the Governor, and letter to their congregations by the Rev. Hugh McAden, James Cresswell and David Caldwell. *Idem*, 813 *et seq.*) It was at this court, thus protected, that Herman Husband was acquitted and William Butler, Samuel Deviney and John Philip Hartso were convicted of a rout and rescue. The convicts were sentenced to imprisonment and a fine, but the imprisonment was immediately remitted by the Governor and they were given six months within which to pay the fine. (*Id.*, 885.) On October 3d they, with all other Regulators, with the exception of thirteen named, were pardoned of all offenses before that date. (*Id.*, 850.) It must be remembered that, at this time, the law was exceedingly technical. Three separate bills were at this court sent against nine other Regulators, and were quashed by the court for an irregularity in the return of the grand jury. We can imagine the eloquent indignation of some writers had these been bills against officers. Indeed to the present day they lash themselves into indignation over William Butler's fine and imprisonment and Fanning's penny and costs, when the record shows that such was not the judgment in Fanning's case (*Id.*, 844; 8 *Id.*, 27, 33 and 323), and that William Butler and the others were never imprisoned after their conviction and paid not a cent of their fines (7 *Id.*, 850), and that, indeed, on September 9th, 1769, the slate was wiped clean—all Regulator offenders, without exception, were pardoned. (8 *Idem.*, 67.)

Now I will examine briefly, and at the risk of being tedious, what was done in the Assembly to remedy the grievances of the people. At the session of November, 1766, Governor Tryon recommended that a better class of sheriffs be secured by increasing the fees of the office, and that the treasurer's accounts be overhauled and better provision be made for the keeping of his books. (7 *Idem*, 294.) This the Assembly did, and also gave relief to debtors when ex-

cutions were levied on land. (*Id.*, 433.) At the session of November, 1767, the Governor recommended further legislation in regard to the office of sheriff, and stricter regulations for the security of the public funds. (*Id.*, 551.) The House immediately appointed a committee on Public Accounts, with Cornelius Harnett, Chairman, and Thomas Person, Wiley Jones and Edmund Fanning among its members. (*Id.*, 571.) Joseph Hewes was added to this committee, and it was continued to the end of the next session. (*Id.*, 662.) At this session they legislated in regard to both sheriffs and the treasurer, and provided a method for appointing jurors. At the November session, 1768, the Governor again pledges himself to do all he could to remedy the grievances of the people, and in regard to the state of the public funds, he said: "It is not the labor of one session, but of many, to bring the public accounts into proper order"; and then he urged the Assembly to be persistent in the attempt. (*Id.*, 862.) Many bills were introduced in answer to the demands of the people, but some failed because the state of the public accounts had not yet been ascertained, others for reasons that do not appear, and still others because contrary to the Governor's instructions. The scarcity of a circulating medium was the evil which seemed most to require a remedy; but the Assembly was not willing to emit paper money without making it legal tender for all debts, and this could not be done, because prohibited in England. They did, however, direct sheriffs how to levy executions and how to dispose of the property taken thereunder. (*Id.*, 977.) This Assembly was dissolved and a new one elected in 1769. In this Herman Husband and John Prior, both Regulators, were the representatives from Orange. When it convened in October, Husband was placed upon the Committee on Public Accounts. (8 *Id.*, 111.) It should be noted that pages 303 and 304, in this volume, should be where pages 106 and 107 are, and *vice versa*.

Governor Tryon's health had been very bad since the fall of 1768. He lost his only son soon afterward. (Haywood's Tryon, 203.) His health continued bad during 1769. He was anxious to return to England or to be transferred to New York. (S C. R., 54, 169, 191 and 212.) In the summer of 1769 he visited Williamsburg and there obtained from the Virginia treasurer, Mr. Nicholas, a system of keeping accounts, which, he thought, would prove a complete check upon treasurers and sheriffs. This he urged the Assembly of 1769 to adopt. (*Id.*, 94.) They, however, instead, resolved against taxation by Parliament and the removal of those charged with treason to England for trial and in favor of the right of petition. Tryon, then in a pet, which he afterwards explained was caused by his illness, dissolved that Assembly. (*Id.*, 169.) Before the dissolution, though, it adopted other good resolutions against those resisting officers and against officers who took illegal fees. (*Id.*, 139.)

The election for the new Assembly was held on March 12th, 1770, and Herman Husband and John Prior were again returned from Orange. The Assembly was to have met in New Bern in May, but on account of the heat of the summer and the unhealthfulness of the season it was prorogued to meet on November 30th. I have thus gone carefully over the Acts of the Assembly from the beginning of the Regulator agitation to the period immediately preceding the Hillsboro riot. It seems from this, that Governor Tryon, far from being deaf to the demands of the people, was doing what he could to meet them. (S C. R., 140.) In the matter of stating the accounts of the public officers, Mr. Burgwin, the best accountant in the province, worked three years before he completed his work. That he had undertaken this work was perfectly well known to the Regulators, for Husband was a member of the Assembly at the time. (*Id.*, 139.) The neglect of the Assembly to make the fee bill more definite

and to divide the county of Orange into three counties sooner, is to be condemned. Bills to this effect were introduced two years before they became laws, but those were the two years in which conditions were most acute, and thus demanded prompt action. Legislative reform, however, is notoriously of slow growth, so slow indeed that two years is generally a very short period in which to perfect one, and there are very great practical difficulties in the way of revising a general fee bill.

Having stated thus what the Assembly did in answer to the people's demands, it remains to consider what the courts did in determining whether the officers had been guilty of extortion or not. We have already reviewed the proceedings of the Hillsboro Superior Court in September, 1768. At the ensuing term, March, 1769, nothing was done against the rioters at all. Husband said that bills of indictment were sent against the clerk, Francis Nash, but were ignored, the grand jury having been packed. That body taken from Orange and Granville counties, in ability and standing, seems certainly an average one. So far as can now be ascertained, no one seems ever to have been an officer, so there is no reason apparent why they should favor officers. At the following September term both juries were composed of excellent citizens, including at least two Regulators. (*Id.*, 97.) At the Salisbury court, immediately preceding this, indictments had been sent against the Clerk of Rowan County, John Frohock. These also had been ignored. According to the Regulators this grand jury, too, had been packed. (*Id.*, 68.) At the March Term, 1770, of the Hillsboro court, an action, James Hunter v. Edmund Fanning, was tried, with the verdict in favor of the defendant, and Husband's lawyers, at the September Term, 1768, obtained judgments against him for the fees earned at that term. His plea, duress, was found against him. Execu-

tion was afterwards issued upon James Milner's judgment for fifty pounds and levied upon Husband's land, but the sale thereunder was stopped by a mob. There is nothing in the constitution of the jury at this term to indicate that it was made of those who sympathized with the officers, and Regulators were of its number. (*Id.*, 184.)

Jurors for the Superior Court were appointed by the County Courts of the counties within the district, and the County Courts were composed of all the justices in the county. This method of appointing jurors remained practically unchanged until 1806. (Compare 23 S. R., page 704, *et seq.*, with Potter's Rev., 395 and 1055.) Under such a system it is possible to exclude all those obnoxious to the court itself, but it is not possible to select a jury with a view to packing it for a particular case. That presupposes collusion between the various County Courts of the district, as well as positive corruption in all these courts. Now they were composed of the best and most substantial men in the counties, appointed upon recommendation of the members of the Assembly, and John Lowe, Richard Cheek and Joab Brooks, all Regulators, were Justices in Orange. (*Id.*, 149.) So we can put aside as incredible the assertion of the Regulators that the jurors at the Salisbury and Hillsboro Superior Courts for 1769 and 1770. were corrupt. Some, no doubt were prejudiced against, and some in favor of, the Regulators, just as jurors would be now in the midst of any public excitement, but the indifferent and impartial members of the jury would be, in some instances, at least, the balance of power.

Now as to the Judges who presided over these courts. The Chief Justice, Howard, seems to have had more of the confidence of the Regulators than either of the others, Henderson and Moore. He was a good lawyer, of mild disposition and inclined to mercy—not at all a tyrant, though something of

a courtier. Henderson had great natural ability. He was a self-made man and, largely, a self-taught man. Of the people originally, he was the architect of his own fortunes, and there is nothing, so far as known, to cast any shadow upon his personal integrity. Maurice Moore, an aristocrat by birth, was politically a democrat. He was a man of culture and of strong character, though unquestionably an intriguer. There may have been, of course, individual miscarriages of justice in this court, just as there are in our courts now, but that the court was partial to officers, so as to make it its business to see that they were not convicted, is wholly disproven. All the established facts show this to be false and there is nothing to the contrary except the wild assertions of the Regulators, that is of one of the parties to a bitter controversy in the midst of a controversy, and that, too, without having adequate means of knowledge. Their charges against the court and juries may be utterly disregarded as not having any sufficient basis of probability. But smarting under their defeats, and as they conceived them, their wrongs, they came in force to the September, 1770, Superior Court to see that their sympathizers were placed upon the juries and they, themselves, should have justice administered to them. Their conception of justice, however, was that all the cases in which they were interested should be decided in their favor. The scenes at the riot which ensued are familiar to all readers, and I have not space to repeat the description. There was no immediate cause for it. Not a single Regulator had ever been punished for his illegal acts. There were no indictments pending in the court at that time against any of them. About one thousand of them in Orange and about seven hundred in Rowan were standing obdurate in their refusal to pay taxes, but no indictments had been found against them for this, and for their former offenses they had all been pardoned. There were suits pending against some

of the officers, with individual Regulators as plaintiffs, who were endeavoring to recover fees that they claimed were extorted from them. Besides, they wished to force indictments against these officers. When it is remembered, then, that they already had the two members of the Assembly, it must be apparent to the most prejudiced mind that this outbreak was wholly personal, directed solely against the lawyers and officials.*

After the Hillsboro riot, Alamanee or submission was the only alternative. When, then Governor Tryon marched west at the head of his little army, he was coming not as a tyrant to oppress, but as a ruler to suppress and punish defiant criminals. In this he acted as any executive officer of any State, however free, must have done under similar circumstances. The attack at Hillsboro was not upon the existing state, but upon government in any form. Even the most primitive peoples respect their judges and do not profane their courts. It is there that earthly power doth show likest God's, and man's intuitive recognition of this truth is itself testimony to His divine origin. When, excited by passion, he attacks his courts, he is then attempting to uproot the very fundamentals of society. The men who followed Tryon, afterwards, with one exception, the Whig leaders of the State, knew that so long as the mob spirit was abroad in the land any government was impossible. Their primary object in going then was to save government itself, and not its form, so they were as much patriots at Alamance as they afterwards were at Moore's Creek or Guilford Court House.

After these disturbances and their tragic ending many people removed from the county. More than half of its territory, too, was erected into new counties. I can find nowhere any data upon which to make any estimate of the population of the dismembered county of Orange. During

*It must be noted, too, that Fanning had held no office in the county since October, 1768.

the year 1772, Governor Martin, who had succeeded Tryon, transferred to New York, visited Orange and the Regulator settlements in Guilford, spending the month of August in Hillsboro. James Hunter gives such a naive account of this visit in a letter to William Butler, November 6th, 1772, (Morehead's James Hunter, pages 44 and 45), that I reproduce what he has to say:

"Things have taken a mighty turn in our unfortunate country. This summer our new Governor has been up with us and given us every satisfaction we could expect, * * * and I think our officers hate him as bad as we hated Tryon, only they don't speak so free. He has turned Colonel McGee out of commission for making complaint against outlawed men, and he has turned out every officer that any complaint has been supported against. In short, I think he has determined to purge the country of them. We petitioned him as soon as he came, and when he received our petition, he came up among us and sent for all the outlawed men to meet him at William Fields; told us it was out of his power to pardon at that time because he had submitted it to the King, and the King's instructions was to leave it to the Governor, Council and Assembly to pardon whom they saw fit. But assured us he had given strict orders no man should be hurt or meddled with on that account, which made us wish for you all back again. Though some are of the opinion Harman will not be pardoned, I am of a different mind. * * * He came to see us the second time and advised for fear of ill-designing fellows, to go to Hillsboro and enter into recognizance till the Assembly met, which eleven of us did. He bemoaned our case and regretted that the indemnifying act had put it out of his power to give us full relief. Our enemies would, I believe, be glad to see you three pardoned, for some of them have gotten severely whipped about your being kept away, and I think the country is as much master now as ever. * * *

Morriss Moore and Abner Nash have been up to see me, to try to get me in favor again, and promised to do all they could for you."

It is evident from this letter that both the Governor, Martin, and the Whig leaders of the east had begun to realize that there was to be a contest between them, and each party was anxious to conciliate the Regulators. The Whigs could not afford to have at their back secret foes while they faced their open enemy in front, while Martin, looking about him for supporters in the coming contest and finding the Regulators already bitter foes of the leading Whigs, determined to attach them to his own service. It is believed that part of Maurice Moore's intrigue with these factionists was his publication of the Atticus letter, for, Ransom Southerland, who then lived in Guilford and was cognizant of the visit of Moore and Nash to James Hunter, thought Nash was the author of this letter, because he was with Moore on this trip into the Regulator settlements, and the letter was never credited to any one except these two, so far as is known. This courting of the Regulators by both sides continued until 1776, when the war was flagrant, with the advantage decidedly on Governor Martin's side. The name Regulator in 1776 had lost its old meaning and meant then a loyalist, or as they were afterwards called, a Tory. In that year the Cane Creek Quakers entered upon the minutes of their meeting that certain of the inhabitants of the province had approached them to ascertain how they were affected towards the colonists in the approaching struggle between them and the mother country, and that they had answered that the tenets of their faith required that they should remain neutral. A few pages afterwards they note that the Regulators had approached them with the same object, and they returned to them the same reply that they had returned to the inhabitants of the province. (Minutes at Graham.) Thus we

see how completely the Regulators had become identified with the Loyalists in the minds of the people. In fact all the Loyalists in Orange County at that period, probably one-third of the population, with a few individual exceptions, had been Regulators. It is a perfectly safe conclusion, then, that had it not been for the Regulator troubles, Orange County when war was flagrant would have presented a united front to the enemy. Apologists say, in explanation of their position, that they felt bound by the stringent oath that Governor Tryon had imposed upon them. Every one who knows human nature and the springs of human action, knows how prone men are to substitute a fair-seeming and high-sounding motive for the real one, when they are called upon for an explanation of their acts. In this, so seductive is the temptation, they quite frequently deceive themselves. The truth is, that no large body of men in all history was ever restrained from revolution by any oath of allegiance that they had taken, as Edmund Burke, with his luminous common sense and glowing reason, shows in one of his great speeches in defense of the American colonists. No, the reason why the Regulators were Tories is found in the fact that their ancient enemies, the lawyers and officials, were Whigs, and Governor Martin and his emissaries made most effective use of this personal element in the situation.

The center of the Whig influence was, from the beginning, in Hillsboro. There under the leadership of Francis Nash, Thomas Hart, William Johnston and others, a Safety Committee was organized in late 1774 or early 1775. Unfortunately the record of its proceedings has been lost. We know only that, in 1776, John Hogan was its chairman and James Hogg, its secretary. As early as 1773 an independent company had been formed at Hillsboro, with a former sergeant in the British army as its drill master. After the departure of Edmund Fanning for New York in

1771, Francis Nash had been appointed colonel of the county, and he seems to have entered actively and efficiently into the discharge of the duties of that office. From the standpoint of military equipment and effectiveness this militia no doubt was almost a farce. Martin, writing to the Earl of Hillsboro in 1772, said (9 C. R., 349): "In the course of my journey through the interior country, I received the militia of the three counties of Guilford, Orange and Chatham. Considered in a military light nothing can be imagined more contemptible in all respects but numbers, than those assemblages of people in arms. They were truly such a burlesque representation of soldiers, such a mockery of my beloved profession of arms as did not fail to excite in me some silent, indignant and painful emotions." These indignant and painful emotions, they continued to excite in the breast of that susceptible man for the next ten years, reaching an acute stage in 1781, when in company with Lord Cornwallis and his army, harassed by them after the battle of Guilford Courthouse, he retreated across the State.

At the beginning of the war, the settlements in the county containing the pleasantest homes and the best cultivated farms, were those in which the Whig sentiment was strongest—Hawfields, Eno, Little River, Flat River, and New Hope. There was an occasional Loyalist family among them, at that time, and some neutrals, men who from timidity or constitutional conservatism, had not made up their minds, yet these communities constituted the fighting strength of the county during the whole war. In one of these settlements was a Tory family, which to the present day, shows the effect of the isolation and repression of that period, in their silent, almost stern, self-sufficiency.

The first general meeting of delegates from the province at large that occurred in Orange County was the Provincial

Congress, which convened at Hillsboro, August 20, 1775. On that day, which was Sunday, a majority of the counties and towns not appearing, the Congress was adjourned until the next day. Then all the counties, 35, and all the towns, 9, were represented by 184 delegates. Probably never since in the history of North Carolina has a public body included in its membership so nearly all the prominent men of the State, as did this Congress. Its place of meeting was St. Matthew's Church, which never having been consecrated according to the ritual of the Episcopal Church, could be used for such purposes without desecration. Hillsboro at this time contained within its limits about seventy or eighty houses and three or four hundred inhabitants, while there were many farm houses in its immediate vicinity. Thomas Burke resided two miles northeast of the town, James Hogg just east of it and Ralph Macnair still further east on property formerly belonging to the Fewes and now the Kirkland place. The well-to-do citizens had negro slaves and attendants; food supplies, including game, were abundant, and hospitality was a law of the period. It had then two taverns, one of which was described by Judge Iredell in 1778, as most elegant. Notwithstanding all this, it must have taxed the little town very heavily to entertain suitably fully two hundred visitors. Samuel Johnston, writing of this entertainment in a letter of August 22d, said: "The delegates are all in good health, and we are tolerably well provided with accommodations from the hospitality and obliging dispositions of the inhabitants of this town." After the organization of the Congress on the morning of the 21st, Rev. George Meiklejohn, upon request, attended and performed divine services. If the High Church, Tory, Parson had the courage of his convictions and a sense of humor, no doubt, he incorporated in his prayers the petition, "From all sedition, privy conspiracy and rebellion, good Lord de-

liver us." The Representatives of the county in this Congress were Thomas Burke, John Kinchen, Thomas Hart, John Atkinson and John Williams. Three companies of minute men were required to be raised within the county, of the battalion to be raised within the district of Hillsboro, and James Thackston was appointed colonel. A regiment of militia was also required to be raised within the county, with John Hogan, colonel; John Butler, lieutenant colonel; William Moore, first major, and Nathaniel Rochester, second major. Of these, John Butler became much the most useful officer. In 1777 he was made brigadier-general of the militia. For twenty years he had the confidence of the people to a great degree. He, however, had no special aptitude for military affairs, and his failure to accomplish results in two or three instances has with some occasioned a doubt of his personal courage, and with all a lack of faith in his military capacity. The affair at Lindley's Mill, when Governor Burke would have been rescued had General Butler's staunchness equaled his activity in raising the militia for the pursuit of McNeill and Fanning, impaired his reputation as an officer materially. His residence was at Mt. Pleasant, an elevation near Haw river, about 16 miles west of Hillsboro. In his civil employments, and they were many, he was a very valuable and useful citizen. He was a moderator of the fury of, and an intermediary between, the contending factions in the Regulator troubles. He was one of the first and most outspoken patriots, and he made and kept his whole immediate section a Whig stronghold throughout the war. He was constantly employed in the public service, and seemed to respond to any demand upon his time and energies with the utmost cheerfulness and alacrity. He was, too, peculiarly efficient in inducing the militia of the county to embody for a special emergency. John Hogan was an active patriot, son-in-law of Thomas

Lloyd, and Senator from the county in 1779. Nathaniel Rochester was a merchant at Hillsboro, was made clerk of the county court in 1778, and at the end of the war removed to Maryland and still later to New York, where he was one of the founders of, and gave his name to, the city of Rochester.

The militia of the State was composed of all the effective men between the ages of sixteen and fifty. A brigade was composed of all the regiments within a judicial district, of which there were then six in the State. Counties, according to their size and population, had one or more regiments within their limits, and every regiment was divided into companies of fifty rank and file, at least, with two sergeants, two corporals, one drummer and one fifer. The companies were divided into four divisions, which were to draw lots for the first, second, third and fourth term to go on service, and were numbered accordingly. The accoutrements of individual militiaman were a good gun, shot bag, a powder horn and a cutlass or tomahawk. (24 S. R., 1.) In 1776 Orange was divided into two regiments, with John Cutler colonel of the Southern regiment, and James Saunders of the Northern. (10 C. R., 532.)

Besides innumerable skirmishes with the Tories in its own borders the Orange County militia participated in nearly all the important movements in the State and in South Carolina from Stono to Guilford Court House. After the surrender at Yorktown they were engaged solely in running down and capturing Tories, and in resisting the raids of the notorious partizan, David Fanning. The wise system under which the militia was called into active service, that is by turns in which only one-fourth of the working force of the people was diverted to military purposes at a time, enabled them after the disastrous drought of 1772, to make abundant harvests each year. This was the reason why

Hillsboro was made a concentration camp in 1779 and 1780 before and after Camden. This concentration of troops in their midst brought its own penalty to the people. There were many outrages committed upon them by these ill-disciplined troops in the way of illegal impressments and seizures. See Hillsboro, Colonial and Revolutionary, pages 75 and 76, for a description of these. After all the drafts thus made upon their patience by their own soldiery the people were to suffer still more from the coming of the enemy in February, 1781. The line of Cornwallis's retreat from the Dan was first southeast through Caswell, then almost due east, not far from what is now the Person county line, then southwest to Hillsboro. He entered that town February 20th, and made his headquarters there for six days. By the irony of fate he erected the King's standard in front of the court-house on February 22d, and the friends of Britain, most of them only nominally so, flocked into town to propitiate Cornwallis and his soldiers, and to see what was to be seen. A certain fearful looking for the judgment to come made nearly all of them content themselves with this and refuse to commit themselves further. Cornwallis soon found his position untenable. Greene had recrossed the Dan, Pickens had advanced from the west, and the British foragers were continually being harassed and cut off by parties of the Light Horse. Tarleton had failed in forming a junction with Colonel Pyle and his loyalists, and the latter's command had been cut to pieces by General Harry Lee at the famous Hacking Match. Besides the country about Hillsboro had been exhausted of supplies. Stedman, Cornwallis's Commissary, found some salt beef and pork and hogs in the town, upon which the army subsisted for a while, but he could get few cattle and those only by his cattle drivers going long distances. He was forced then to impress and kill the work oxen of the loyalists, and to make

a house to house visit in the town and to take from the inhabitants stores provided for their own sustenance, "many of whom," said he, "were greatly distressed by this measure." Lord Cornwallis was thus forced to depart from Hillsboro on the 25th. His route was the same as that taken by Tryon in 1771, and his next position was on the banks of the Great Alamance.

The Revolutionary War in the destruction of life and property seems very small when compared with modern wars, but its stupendous results give it a dignity and interest which no other contest, so small, has. I have not space to enter more fully into the share that the people of Orange had in it. At its end the population of North Carolina was at least 30 per cent greater than in 1770. See *Century of Population Growth* (recently published by the Federal Government), page 10. Probably in Orange County the increase was even greater. This came almost wholly from the excess of births over deaths, notwithstanding the destruction of life in the war. Nor is this all, the people came from the contest stronger, more energetic, more purposeful than when they entered it. Industrially, they were more efficient, while intellectually they were brighter and more resourceful. The period of their ancient prosperity extended from the end of the war to about 1795 or 1796, when Tennessee and Kentucky seemed to be attracting many of its most valuable citizens, while the period of its greatest depression extended from 1830 to 1840.

I shall conclude this sketch of the early history of the people of Orange with some account of an institution, about which little is known.

Even when the war was in progress and its outcome was necessarily doubtful to the most sanguine the minds of the Founders of the State were busily engaged upon schemes to advance the educational interests of the people of the State.

Among others was the incorporation in January, 1779, of Science Hall, an academy to be located at Hillsboro. (24 S. R., 250-1.) "Whereas," says the prelude to the act, "the proper education of youth in this State is highly necessary, and would answer the most valuable and beneficial purposes to this State and the good people thereof; and, Whereas, the neighborhood of Hillsborough from the healthfulness of its situation and the great plenty of provisions with which it abounds, is a fit and proper place to erect a seminary; and, Whereas, a number of gentlemen have, in order to promote and encourage such a valuable and beneficial establishment as the erecting of a seminary at the place, aforesaid, subscribed very considerable sums, which together with such sums as may be subscribed, will be sufficient to answer all the expense attending the same, therefore, be it enacted, etc." William Hooper, Alexander Martin, John Kinchen, Thomas Burke, Thomas Hart, Nathaniel Rochester, James Hogg and William Johnston, Esq., and Rev. Mr. Frazier were appointed trustees. Notwithstanding the subscriptions which were probably not collected, nothing of any moment seems to have been done in pursuance of the act, until November, 1782, when another subscription was started. It seems that commissioners under the confiscation acts were about to sell certain lands in the neighborhood, the property of the Loyalist, Andrew Mitchell, and the object of the subscription was to provide funds for the Trustees to invest in this land and hold for the benefit of the Academy. This scheme seems not to have been effective, so the subscriptions were renewed a year later. The list was headed by Alexander Martin with 30 pounds. Others subscribing £30 were John Penn, Thomas Burke, William Courtney, William Hooper and James Thackston. The other subscriptions, 67 in number, ran from the £1 of Richard Gott, through the £25 of John Hay and Richard Dobbs Spaight, to the

£40 of James Hogg and Joseph Hawkins, the grand total being £770 and 15 shillings. All of these subscriptions were payable on or before May 1, 1787. The following year, 1784, the charter of the Academy was amended. By section 6 of the amendatory act, old St. Matthew's Church was converted into a free church and academy. (24 S. R., 605-7): "By and with the consent of all persons having any right, title or interest in the church erected in the town of Hillsborough (already far gone to decay) such persons being of the Episcopal persuasion, and as such claiming an interest in the said church, such consent being first obtained by notice in writing promulgated in the most public part of the county, calling on such persons to object, if any objection they have upon such notice given, and no reasonable objection made, the said building with the ground upon which it stands shall be held and deemed to be invested in the said commissioners, for the uses and purposes following, to-wit: That the said church shall be, with as much economy and expedition as possible, put in decent repair; and so put in repair, shall on every Sunday in every year be open to the ministers of every sect and persuasion being Christians, there to inculcate the truths of their holy religion: Provided always, that every dispute relative to a preference to said church in officiating there by ministers of different, or the same, sects shall be determined by the said commissioners; and in any dispute between an Episcopalian and ministers of any other persuasion as to a preference to the pulpit, the former, circumstances being otherwise equal, shall be preferred, as the church was founded for the Episcopal persuasion, and to them by the constitution properly appertains." The surviving trustees or commissioners as they were called in the act of 1784, appointed in the act of 1779, were given authority to fill vacancies on account of death or removal. These survivors, James Hogg, William Hooper and William Johnston, met at the house of Mr. Hooper in

the latter part of the year 1784 and organized by the election of Mr. Hogg as Chairman, and Alfred Moore and Jesse Benton were elected trustees to fill vacancies caused by the death of Governor Burke and the removal of Thomas Hart. Mr. Benton was elected secretary and treasurer. The repairs upon the church, including securing the steeple, cost £120 and seem to have been completed by May, 1785. Solomon Pinto and Benjamin Perkins, graduates of the College of New Haven, were the first teachers, and among the first scholars were Thomas and William Hooper, A. De-Rossett, Richard Quince, Roger Hall, Charles Blount and Gavin Alves. The latter part of 1786, Benjamin Perkins, having an opportunity to improve his fortunes, removed elsewhere, and in the attempt to secure a suitable successor for him, Mr. Hooper wrote the following letter to Dr. John Witherspoon, of Princeton:

EDENTON, NOV. 7, 1786.

Reverend Sir:

Availing myself of the acquaintance with which you honoured me during the time we spent together formerly in Congress, and well aware of the very friendly disposition you entertain to every institution for the encouragement of literature, I take the liberty to call your attention to the Infant Academy of Hillsborough, in the State of North Carolina.

This Academy more than twelve months past was begun, and has hitherto been supported under the auspices, and by the private subscription, of several private gentlemen. Its progress has been equal to their utmost expectations and they are led to hope that the advantage which the State at large must soon derive from it will make it an object worthy the patronage and support of our Legislature. The tuition has been hitherto conducted by two young gentlemen of the College of New Haven, one of whom has lately left us in

the pursuit of more active employment. It has been his proper business to teach mathematics in the various branches, English grammatically, natural and experimental Philosophy and Geography. The gentleman who continues with us teaches the Greek and Latin Classics. Upon this vacancy having taken place, the Trustees have empowered me to employ some gentleman to fill the place, and I now beg leave to commit this charge, in the most unreserved manner, to you after promising only that it would be agreeable to us that he should have passed that time of life which might lead him to idleness, levity or dissipation. I have in general terms described what was the line of his predecessor. There are other parts of academical instruction which will readily suggest themselves to you, and which we wish he might possess, a knowledge of the French language would make him an important acquisition to us. His salary will be one hundred pounds sterling per annum. He must find his own drink, meat, washing and lodging, which will cost him about twenty-five pounds, this currency, yearly. Hillsboro, where this Academy is situated, is in the western part of the State, about 110 miles from the Seacoast, and from a residence of several years in it, I believe it to be as healthy as any part of this continent. The Trustees of this Academy are Alfred Moore, Attorney-General of the State; Alexander Martin, late Governor; General John Butler, James Hogg, Esq. (whom you know); James Iredell, Esq., Jesse Benton and myself, and are all resident in Hillsboro, or near it, except Mr. Iredell. I would advise that the gentlemen whom you make choice of should be in Hillsboro some time in January next, as the school vacation will begin in the middle of December and end in the month of January. Should the gentleman take a water passage and land in Edenton, New Bern or Wilmington, he may easily transport himself from either of these to Hillsboro, by making his purpose known to Mr. Iredell or Mr. Samuel Johnston at Edenton, your son at

New Bern, or John Huske, Esq., at Wilmington. I have the subject of this letter devotedly at heart and beg leave most earnestly to press it upon your attention. In expectation of hearing from you by the earliest occasion, I am, Reverend Sir,

Your most obedient, humble servant,

Dr. Witherspoon.

WILL. HOOPER.

There was considerable delay in securing the proper man on account of the difficulty of getting one to fill the specifications, and then after this difficulty was surmounted and one was selected and agreed to come, his salary was raised at Trenton, where he was, and he at the last moment declined the offer. At last, in February, 1787, Dr. Witherspoon secured a satisfactory young man and he was forwarded, via New York, care of Messrs. William Blount and Benjamin Hawkins, Members of Congress, to Judge Iredell at Edenton. Judge Iredell, upon the young man's arrival at the latter place, sent him on to Hillsboro, bearing the following letter to Mr. Hooper:

EDENTON, March 17, 1787.

My Dear Sir:

I congratulate you on the acquisition of the young gentleman to the Academy, who will deliver you this letter. His name is Squires, and besides the recommendations the inclosed letters give of him, he appears to me upon an acquaintance of a fortnight, during which I have seen him for the greatest part of every day, a very deserving young man—studious to a degree and though a little pedantic, as most young collegians are, lively and agreeable in his disposition, with (if I mistake not) a very excellent heart. I hope you will consider it a strong proof of my fidelity to the Hillsboro Academy that I have not attempted to intercept him. I am sure my whole family as well as myself will part with

him with great regret. It has given me extreme concern that he could not be despatched earlier, but this country, which never abounded in good horses, seems now worse off than ever. Would to God I could have supplied him clear of expense, I should have been most happy in doing it. I have advanced him \$15, two-thirds in hard money to pay for his passage, and £15 in paper. The double chair is hired at 3 shillings for the journey. Mr. Macnair furnishes him with a horse as high as Mr. John Johnston's, in which neighborhood Mr. Johnston thinks he can get another. I could not hire one for him either here or at Ryans. The inclosed letters of Witherspoon and the Delegates I only received yesterday and have not answered."

The remainder of the letter does not concern the School.

The new teacher, who was burdened with the not very euphonious name of Zadoc Squires, remained with the Academy until his death late in 1789. The routine of the day's work was fixed by the Trustees. From April 1st to November 1st in each and every year, open at 7 A. M., study until 9, recess for an hour, study from 10 to 12:30 P. M., recess until 3 P. M., study until 5 P. M. The rate of tuition was £3, 6 shillings and 8 pence at the beginning, the same in the middle, and the same at the end, of the term. Though the Trustees when they first took charge of the church had it repaired at a cost of £20, in 1786 they found it necessary to have the steeple taken down. It was at this time that the clock, which had been in the steeple of the church was removed to the cupola of the market house.

Besides the fees from students and private subscriptions the Academy had occasional gifts, which showed the interest of the public in it. William Johnston, who died in 1785, bequeathed it £100 in his will, and Jesse Benton, who had come in contact with that firebrand, Colonel William Shepperd, very much to his injury, devoted the damages he

recovered in an action for the assault, £50, to the same good uses. It is quite probable, too, that both before and after his father's death Thomas Hart Benton attended this school. I have been unable to ascertain when it ceased to exist. It is probable that it did not long survive the death of Mr. Hooper in 1790 and that of Mr. Benton in 1791.

Having thus been dealing with the past, permit me for a moment, in conclusion, to say something of the present. If in this taking of stock we shall find that the past was more honest, more patriotic, more public-spirited than the present we shall know that there is something wrong at the core of our being. The present of a virile people is always better than its past. The people of North Carolina have nothing to fear from a comparison of their present with their past, great though that past is in some particulars. The public life of the State is freer from graft and from self-seeking, and is more singly directed towards securing the welfare of the people at large than it was in the Revolutionary or post-Revolutionary periods. Our public men, now, are as patriotic and wise as they were then, but, with a wider vision, they are much more sympathetic with the higher and nobler aspirations of the masses. To them equal opportunity for all is not a barren theory, but an ever-living, burning truth—an eternal principle that inspires all their acts. They are also cleaner, more sober, more moral, more honest, in their private life. And what a wonderful improvement there has been in the private life of the people themselves! Then, whole communities living in drunkenness and immorality and debauchery; now, the same communities, sitting clothed and in their right minds, regarding the future with calm and confident hope for themselves and their children, a church here and a schoolhouse yonder, and both open to them and to all of them, without money and without price. No, North Carolina has nothing to fear from a comparison of its present with its past.

INFROMATION

Concerning' the Patriotic Society

"Daughters of the Revolution"

The General Society was founded October 11, 1890,—and organized August 20, 1891,—under the name of "Daughters of the American Revolution"; was incorporated under the laws of the State of New York as an organization national in its work and purpose. Some of the members of this organization becoming dissatisfied with the terms of entrance, withdrew from it and, in 1891, formed under the slightly differing name "Daughters of the Revolution," eligibility to which from the moment of its existence has been *lineal* descent from an ancestor who rendered patriotic service during the War of Independence.

"The North Carolina Society"

a subdivision of the General Society, was organized in October, 1896, and has continued to promote the purposes of its institution and to observe the Constitution and By-Laws.

Membership and Qualifications

Any woman shall be eligible who is above the age of eighteen years, of good character, and a *lineal* descendant of an ancestor who (1) was a signer of the Declaration of Independence, a member of the Continental Congress, Legislature or General Court, of any of the Colonies or States; or (2) rendered civil, military or naval service under the authority of any of the thirteen Colonies, or of the Continental Congress; or (3) by service rendered during the War of the Revolution became liable to the penalty of treason against the government of Great Britain: *Provided*, that such ancestor always remained loyal to the cause of American Independence.

The chief work of the North Carolina Society for the past eight years has been the publication of the "North Carolina Booklet," a quarterly publication on great events in North Carolina history—Colonial and Revolutionary. \$1.00 per year. It will continue to extend its work and to spread the knowledge of its History and Biography in other States.

This Society has its headquarters in Raleigh, N. C., Room 411, Carolina Trust Company Building, 232 Fayetteville Street.